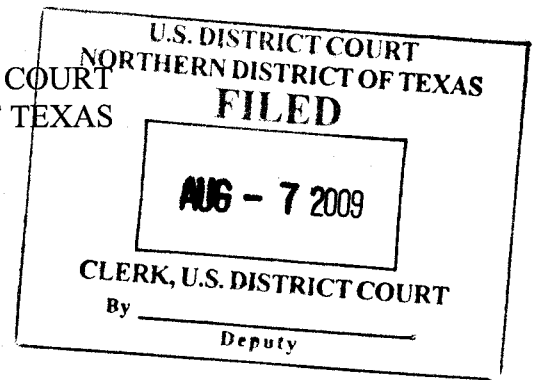


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION



STEVE O'NEAL GREEN,

Petitioner,

v.

NATHANIEL QUARTERMAN, Director,
Texas Department of Criminal Justice,
Correctional Institutions Division,

Respondent.

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2:09-CV-0146

ORDER OVERRULING OBJECTIONS,
ADOPTING REPORT AND RECOMMENDATION,
and DENYING PETITION FOR A WRIT OF HABEAS CORPUS


Petitioner has filed with this Court a petition for a writ of habeas corpus challenging a prison disciplinary case. On July 21, 2009, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending therein that the petition for a writ of habeas corpus be denied as petitioner did not lose any previously accrued good time credits as a result of the disciplinary case being challenged. On July 28, 2009 and August 4, 2009, petitioner filed objections to the Report and Recommendation arguing that even though he did not lose previously accrued good time credits as a result of the disciplinary proceeding herein challenged, his petition should not be denied because the reduction in his custody level has resulted in the loss of "potential" good time credits, and because he has, in fact, lost previously accrued good time credits as a result of other similar disciplinary proceedings not being challenged in this petition but "adopted" by his pleadings. Petitioner also argues the loss of previously accrued

good time credits is not necessary for federal habeas corpus relief when a disciplinary case is based upon false accusations and false statements.

The undersigned United States District Judge has made an independent examination of the record in this case. Petitioner's objections are without merit and are hereby OVERRULED. The Magistrate Judge's Report and Recommendation is hereby ADOPTED. Accordingly, the petition for a writ of habeas corpus filed by petitioner is DENIED.

IT IS SO ORDERED.

ENTERED this 6th day of August 2009.


MARY LOU ROBINSON
UNITED STATES DISTRICT JUDGE